

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BAYOU STEEL BD HOLDINGS, L.L.C.,
et al.,

Debtors.

Chapter 7

Case No. 19-12153 (KBO)

(Jointly Administered)

GEORGE L. MILLER, in his capacity as
Chapter 7 Trustee for the jointly administered
bankruptcy estates of Bayou Steel BD
Holdings, L.L.C., *et al.*,

Plaintiff,

Adv. Proc. No.: 21-51013 (KBO)

Re: Adv. D.I. 1, 25

v.

BLACK DIAMOND CAPITAL
MANAGEMENT, L.L.C.; BDCM
OPPORTUNITY FUND IV, L.P.; BLACK
DIAMOND COMMERCIAL FINANCE,
L.L.C.; SAM FARAHNAK; PHIL
RAYGORODETSKY; ROB
ARCHAMBAULT; TERRY TAFT; and BOB
UNFRIED,

Defendants.

ORDER DISMISSING COMPLAINT

Upon the *Independent Directors' Motion to Dismiss* (the "Motion"); the Court having
reviewed the Motion, the accompanying Opening Brief, and the responses thereto, if any; and the
Court having determined that the legal and factual basis set forth in the Motion establish just
cause for the relief granted herein; and after due deliberation and sufficient cause appearing
therefore,

IT IS HEREBY ORDERED THAT:

1. The Motion is granted.
2. The Complaint (Adv. D.I. 1) is hereby dismissed with prejudice as to the Independent Directors.

Dated: _____, 2021

Wilmington, Delaware

The Honorable Karen B. Owens
United States Bankruptcy Judge